

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MILTON EDUARDO VACA SOSA,)
)
Petitioner,)
)
v.) Civil Action No. 3:23-cv-539-HEH
)
D. LEU, *et al.*,)
)
Respondents.)

MEMORANDUM OPINION
(Dismissing Action As Moot)

Petitioner Milton Eduardo Vaca Sosa (“Petitioner”) submitted a petition under 28 U.S.C. § 2241 challenging the execution of his sentence. The record indicates that Petitioner was released from detention on May 20, 2024. (Ex. 1 ¶ 9, ECF No. 16-1.) “A habeas corpus petition is moot when it no longer presents a case or controversy under Article III, § 2, of the Constitution.” *Aragon v. Shanks*, 144 F.3d 690, 691 (10th Cir. 1998) (citing *Spencer v. Kemna*, 523 U.S. 1, 7 (1998)). No case or controversy exists unless the petitioner has suffered an actual injury that can “be redressed by a favorable judicial decision.” *Spencer*, 523 U.S. at 7 (quoting *Lewis v. Cont'l Bank Corp.*, 494 U.S. 472, 477 (1990)). By Memorandum Order (ECF No. 18) entered on May 30, 2024, the Court directed Petitioner, within twenty (20) days of the date of entry thereof, to show cause why the action should not be dismissed as moot. (*Id.* at 1.)

More than twenty (20) days have elapsed, and Petitioner has not responded.

Accordingly, the action will be dismissed as moot.

An appropriate Final Order shall accompany this Memorandum Opinion.



Henry E. Hudson
Senior United States District Judge

Date: July 10, 2024
Richmond, Virginia